

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 05-10154-MLW
v.)	
)	
JOHN J. DIAMONT, JR.,)	
Defendant)	

PROTECTIVE ORDER

This matter is before the Court on the Government's motion, pursuant to Fed. R. Crim. P. 16(d)(1) and Local Rule 116.6(B), for a protective order relating to certain discovery material in this case, and good cause appearing,

It is hereby ORDERED:

1. All tax returns of Yale Strogoff and S. Strogoff & Co. provided by the Government to the defendant or his counsel in connection with this case (hereinafter "the Strogoff tax returns") shall be used solely for good faith preparation for trial and defense of this case and shall not be used by the defendant, his counsel or anyone acting in concert with, or under the control of, the defendant or his counsel (hereinafter, collectively "the defense") for any other purpose.

2. The defense shall hold the Strogoff tax returns, and any copies thereof, in a secure location, not accessible to unauthorized third parties.

3. The defense may review the Strogoff tax returns with third parties as part of the defense's good faith preparation for

trial and defense of this case, but shall not permit any third party to keep a copy of any of the Strogoff tax returns.

4. Upon the conclusion of this case, including any appeals, the defense shall promptly return to the Government all of the Strogoff tax returns, and copies thereof, in its possession, or certify to the Government by means of a letter from defense counsel to the U.S. Attorney's Office or by a statement, under oath, from the defendant, delivered to the U.S. Attorney's Office, that all such tax returns and copies thereof have been destroyed. If any Strogoff tax return is admitted into evidence in this case, or otherwise becomes a public record, it shall thereafter be exempt from the requirements of this Protective Order. If the defendant returns to the United States any Strogoff tax return, pursuant to this Protective Order, the United States shall preserve such tax return in its closed case file in accordance with its usual records retention policy.

It is so ordered.


HONORABLE JUDITH G. DEIN
United States Magistrate Judge

Entered this 11th day of August, 2005 at Boston, MA.